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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,849	12/22/2003	Randall D. Wise	132812 (GEN-0395)	9091
7590	02/28/2005		EXAMINER	
Philmore H. Colburn II Cantor Colburn LLP 55 Griffin Road South Bloomfield, CT 06002			CHERVINSKY, BORIS LEO	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 02/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/743,849	WISE ET AL.	
	<b>Examiner</b> Boris L. Chervinsky	<b>Art Unit</b> 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1)  Responsive to communication(s) filed on 22 December 2003.

2a)  This action is FINAL.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4)  Claim(s) 1-16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-3 is/are rejected.

7)  Claim(s) 10-16 is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 22 December 2003 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date . . . .  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: . . . .

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because the reference number 255 on Fig. 3 as appears to be erroneously placed on the right side of the drawing. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The disclosure is objected to because of the following informalities: typographical error on page 3, line 26. The disclosure must be thoroughly checked for similar errors. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 10 and 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shrader.

Shrader discloses a service entrance, comprising: a post section 15 adapted to receive an electrical supply wire having a supply power wire 30, 31 and a supply neutral wire (not shown), the post section having a first opening and a second opening (see Fig. 8 and Fig. 9, around elements 37 and 93 respectively); a service section 21,22,25 disposed at the post section, the service section having a third opening and a fourth opening, wherein the third opening is juxtaposed the first opening and the fourth opening is juxtaposed the second opening (see Fig. 8 and Fig. 9, around elements 37 and 93 respectively) ; and a neutral bus 93 (as part of the inherited feature of the terminal) having a first end at the post section, a second end at the service section, and disposed passing through the second and fourth openings, the first end of the neutral bus being adapted to electrically connect with the supply neutral wire (not shown); the first and second openings are disposed at a back surface of the post section; the third and fourth openings are disposed at a back surface of the service section; and the service section is disposed in a back-to-back rain-tight fashion with respect to the post section; the second and fourth openings are disposed below the first and third openings,

a service neutral connector 93 electrically connected with the second end of the neutral bus; wherein the service neutral connector 93 is adapted to electrically connect with a return neutral wire from a load branch circuit; and wherein the neutral bus provides a direct electrical connection between the return neutral wire from the load branch circuit and the supply neutral wire as inherent feature of the functional service. The first and the third openings as well as second and four openings appears to be openings on two different and opposite surfaces and constitute the through holes as disclosed by Shrader therefore it would have been obvious at the time the invention was made to a person having ordinary skill in the art to consider them as such.

Regarding to claims 11-16, Shrader discloses service entrance comprising: a first housing 15 and a second housing 21,22,25 proximate thereto, the first and second housings having first and second openings (see above) disposed therebetween; and a neutral connector 93 having a first end at the first housing, a second end at the second housing (see Fig. 8 and Fig. 9), and disposed passing through the second opening; wherein the first housing is adapted to receive an electrical supply wire 30, 31 having a supply path and a return neutral path (not shown), the first opening is adapted to receive the supply path, and the second opening is adapted to receive the return neutral path (col. 4, lines 40-45); a terminal block 35 disposed at the first housing and adapted to receive the supply path but not the return neutral path; a first receptacle 51, 53 disposed at the second housing for receiving an electric meter 45, the first receptacle arranged for electrical communication with the terminal block 35; a second receptacle 75, 76 disposed at the second housing for receiving a load circuit disconnect, the

second receptacle 75,76 arranged for electrical communication with the first receptacle 51,53; a main circuit disconnect 65 disposed at the second housing and electrically connected between the first receptacle 51,53 and the second receptacle 75,76; and a service neutral connector 93 disposed at the second housing and electrically connected with the neutral bus (not shown); the main circuit disconnect 65 is disposed below the first receptacle 51,53; the second receptacle 75,76 is disposed below the main circuit disconnect 65; and the service neutral connector 93 is disposed below the second receptacle 75,76; the second housing is arranged in a rain-tight fashion with respect to the first housing (sponge wall 32); a service neutral connector 93 electrically connected with the second end of the neutral bus; wherein the service neutral connector is adapted to electrically connect with a return neutral wire from a load branch circuit; and wherein the neutral bus provides a direct electrical connection between the return neutral wire from the load branch circuit and the return neutral path of the electrical supply wire as inherent feature of the functional service. Shrader discloses the claimed invention except neutral bus and having the first receptacle being disposed below the first opening. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to have terminal as disclosed by Shrader that includes the bus bar as inherited feature of the terminal, and the terminal is the neutral terminal, therefore it must be neutral bar. Regarding the position of the first receptacle placed below the first opening, the Applicant did not show that locating the first receptacle below the opening is critical for the invention, and also Shrader disclosed structure

where the receptacle is slightly lower of the opening, therefore it will be obvious to place the receptacle lower than the opening.

***Allowable Subject Matter***

5. Claims 4-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art does not show the first and third openings are receptive of the jumper power wire in combination with other claimed elements.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris L. Chervinsky whose telephone number is 571-272-2039. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on 571-272-2800 ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**BORIS CHERVINSKY  
PRIMARY EXAMINER**

*Boris L. Chervinsky  
2/23/5*